

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

~~U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED~~

~~2005 JUN 27 P 2: 56~~

UNITED STATES OF AMERICA,

Plaintiff,

v.

Land and Buildings Located at 7 Farmington Avenue
Haverhill, Massachusetts, with all Appurtenances and
Improvements Thereon, Owned by Joel Coppeta,

Defendant-in-Rem.

CIVIL NO. 04-184-JM

U.S. DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

JUL 11 2005

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FINAL ORDER OF FORFEITURE

1. On May 14, 2004, the United States filed a Verified Complaint for Forfeiture in Rem , naming the defendant in rem Land and Buildings Located at 7 Farmington Avenue, Haverhill, Massachusetts, owned by Joel Copetta.
2. Legal Notice by publication of the filing of this Complaint was made by the U.S. Marshal's Service (USMS) in the Manchester Union Leader on September 2, 2004, September 9, 2004, and September 16, 2004.
3. On June 4, 2004, Joel Copetta accepted service of the Verified Complaint, Notice of the Complaint, and Writ of Entry by certified mail, return receipt requested.
4. Joel Copetta has never filed a claim or answer in this matter.
5. The mortgagee, Home Eq Servicing, filed a timely claim and an answer on January 12, 2005.
6. There are no other claimants.

7. Claimant Home Eq Servicing entered into an expedited settlement agreement with the United States. The expedited settlement agreement provided that Home Eq will receive all unpaid principal, interest, and other amounts due to it under a promissory note and mortgage executed by Joel Copetta, after the sale of the defendant in rem property, and, upon payment, agree to release its secured interest in the defendant in rem.

8. The United States has established in the Verified Complaint for Forfeiture in Rem probable cause to believe that the below-listed defendant in rem was used or intended to be used, to commit, and to facilitate the commission of the unlawful storage and distribution of controlled substances, in violation of Title II of the Controlled Substances Act, 21 U.S.C. § 801 et seq., and therefore is liable to condemnation and forfeiture to the United States for its use, in accordance with 21 U.S.C. § 881(a)(7).

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

A. That all right, title and interest to defendant in rem Land and Buildings Located at 7 Farmington Avenue, Haverhill, Massachusetts, owned by Joel Copetta, is forfeited and vested in the United States of America pursuant to 21 U.S.C. § 881(a)(7), free from the claims of any other party, from which amount the USMS shall deduct its costs related to this proceeding.

B. That the defendant in rem real property shall be disposed of by the United States Marshal's Service (USMS) in accordance with the applicable law and regulations. After payments to Home Eq Servicing, in accordance with the terms of the expedited settlement agreements, the proceeds of the sale shall be deposited into the Department of Justice Asset Forfeiture Fund, in accordance with Title 28, United States Code, Section 524(c) and Title 21, United States Code, Section 881(e).

The Clerk is hereby directed to send copies of this order to all counsel of record, and is directed to send a two Certified Copies of this Order to the United States Marshal.

Dated: _____

July 11, 2005

James A. Minshew
UNITED STATES DISTRICT JUDGE